

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Michael E. Tasker

Confirmation No.: 5271

Serial No.: 09/583,695

Examiner: Shick C. Hom

Filed: May 31, 2000

Group Art Unit: 2616

For: PRIVATE BRANCH EXCHANGE (PBX) CONDITIONING
METHOD AND APPARATUS

Date: May 25, 2007

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Applicant hereby appeals to the Board from the decision of the Primary Examiner mailed February 26, 2007, finally rejecting claims 1-8 and 10-20. The item(s) checked below are appropriate:

1. STATUS OF APPLICANT

This application is on behalf of

☒
☐

other than a small entity

small entity. Verified statement ☐ attached ☐ already filed on _____.**2. FEE FOR FILING NOTICE OF APPEAL**

It is Applicant's understanding that any previously paid appeal fees as set forth in 37 CFR §41.20 will be applied to the new appeal, as long as a final Board decision has not been made on the prior appeal. Therefore, Applicant believes there is no fee due for filing this Notice of Appeal.

3. EXTENSION OF TERM

NOTE: The time periods set forth in 37 CFR 1.191 are subject to the provision of #1.136 for patent applications 37 CFR 1.191(d). But see 37 CFR 1.645 for extension of time in interference proceedings and 37 CFR 1.550(c) for extension of time in reexamination proceedings).

(complete (a) or (b) as applicable)

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply.

- (a) ☐ Applicant petitions for an extension of time under 37 CFR 1.17 (a)-(d) for the total number of months checked below:

Extension Fee:

	<u>Months</u>	<u>Small Entity</u>	<u>Other Than Small Entity</u>
<input type="checkbox"/>	one month	\$ 60.00	\$ 120.00
<input type="checkbox"/>	two months	\$225.00	\$ 450.00
<input type="checkbox"/>	three months	\$510.00	\$ 1020.00
<input type="checkbox"/>	four months	\$795.00	\$1,590.00

If an additional extension of time is required, please consider this a petition therefor.

(check and complete the next item, if applicable)

- ☐ An extension for _____ months has already been secured and the fee paid therefor of \$_____ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$ ____

or

- (b) ☒ Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

4. TOTAL FEE DUE

The total fee due is :

Notice of Appeal fee	\$
Extension fee (if any)	\$
TOTAL FEE DUE	\$ 0

5. **FEE PAYMENT**

- ☐ Payment is made electronically by credit card.
- ☒ Any deficiency or overpayment for extensions of time or claims should be charged or credited to deposit account number 13-1703.

Respectfully submitted,

MARGER JOHNSON & McCOLLOM, P.C.

Julie L. Reed

Julie L. Reed
Reg. No. 35,349

MARGER JOHNSON & McCOLLOM
210 SW Morrison Street, Suite 400
Portland, OR 97204
(503) 222-3613